

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
BRIAN BRODY

11-CV-4367 (Judge Cote)

Plaintiff,

-against-

**STIPULATION OF  
DISCONTINUANCE**

THE CITY OF NEW YORK, NYWT ZEPHYR, LLC  
CIRCLE LINE – STATUTE OF LIBERTY FERRY,  
INC, CIRCLE LINE HARBOR CRUISES, LLC,  
CIRCLE LIQUIDATION LLC, NEW YORK TRANS  
HARBOR LLC, NYWT CIRCLE LINE LLC, STATUTE  
LIQUIDATION, INC, *in personam*, and the vessel  
“ZEPHYR,” its engines, equipment, tackle and  
Appurtenances *in rem*

Defendants.  
-----X

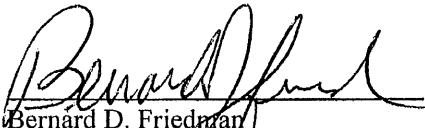
IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the  
Plaintiff and Defendants herein, that the action against Defendants NYWT Zephyr, LLC, New  
York Trans Harbor, LLC and NYWT Circle Line LLC be discontinued without prejudice and  
without costs to any of the parties.

Dated: New York New York  
September 19, 2011

FRIEDMAN, JAMES & BUCHSBAUM LLP

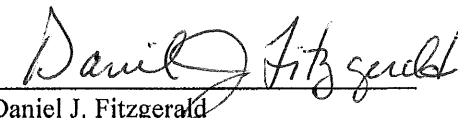
FREEHILL HOGAN & MAHAR, LLP

By:

  
Bernard D. Friedman  
Attorneys for Plaintiff  
BRIAN BRODY

132 Nassau Street, Suite 900  
New York, New York 10038  
Phone: (212) 233-9385  
Fax: (212) 619-2340

By:

  
Daniel J. Fitzgerald  
Attorneys for Defendants  
NYWT Zephyr, LLC, New York Trans  
Harbor, LLC and NYWT Circle Line LLC  
80 Pine Street  
New York, New York 10005  
Phone: (212) 425-1900  
Fax: (212) 425-1901